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James C. Kenney
Cabinet Secretary

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October 18, 2019

Ken McQueen
Regional Administrator
USEPA Region 6
1201 Elm St.
Dallas, TX 75202

Re: Los Alamos Residual Designation Petition


Dear Regional Administrator McQueen:

The New Mexico Environment Department (NMED) supports the proposed MS4 designation for Los Alamos County. Designation of this particular area under the stormwater permitting program would provide, among other benefits, a comprehensive mechanism to coordinate efforts to address contaminated stormwater. Urban stormwater studies have been conducted by both Los Alamos National Laboratory and NMED. These studies confirm that elevated levels of metals and PCBs are contained in urban stormwater leaving the impervious areas of the Lab and the County. As these areas discharge to what later becomes a drinking water source for both the City of Santa Fe and the City of Albuquerque, in addition to a source for irrigation uses along the Rio Grande, NMED underscores the importance of this designation to assist in the protection of human health and the environment.

As noted in the Residual Designation Petition submitted to EPA by Amigos Bravos in 2014 and EPA's March 2015 Preliminary Determination (80 FR 13852), stormwater is a significant source contributing to the continued water quality impairments documented in NMED's 2018-2020 CWA Section 303(d) List of Impaired Waters. We agree with EPA's Preliminary Determination that the regulatory criteria for making a residual designation are met in this case (40 CFR 122.26). An updated list of the current impairments is included with this letter as Appendix A, which includes all Pajarito Plateau watersheds in addition to the Rio Grande below Los Alamos.

This letter supersedes the letter dated June 15, 2015, conveying NMED's prior position on the MS4 designation. If you require any further data or assistance, please do not hesitate to reach out to my staff in the Surface Water Quality Bureau. NMED looks forward to engaging with EPA Region 6 to continue strong protections for our precious water resources in New Mexico.

Sincerely,


James C. Kenney
Cabinet Secretary

Cc: Charles Maguire, Director, Water Quality Protection Division, EPA Region 6
Rebecca Roose, Director, Water Protection Division, NMED

Attachment A:

Water Quality Impairments from NMED's 2018-2020 CWA §303(d)/§305(b) Integrated List:

Segment	WQS Reference	Impairments	TMDL/4b
Acid Canyon (Pueblo to headwaters)	20.6.4.98 NMAC	Adjusted gross alpha, PCBs in water column, dissolved copper, TR aluminum	None
Bayo Canyon (San Ildefonso boundary to headwaters)	20.6.4.98 NMAC	Not assessed	None
DP Canyon (Los Alamos Canyon to LANL bnd)	20.6.4.128 NMAC	Adjusted gross alpha, PCBs in water column, TR aluminum	None
Graduation Canyon (Pueblo Canyon to headwaters)	20.6.4.98 NMAC	Dissolved copper, PCBs in water column	None
Guaje Canyon (San Ildefonso bnd to headwaters)	20.6.4.98 NMAC	Fully supporting	None
Kwage Canyon (Pueblo Canyon to headwaters)	20.6.4.98 NMAC	Not assessed	None
Los Alamos Canyon (DP Canyon to upper LANL bnd)	20.6.4.128 NMAC	PCB in water column, adjusted gross alpha, total mercury, total recoverable cyanide, total recoverable selenium	None
Los Alamos Canyon (Los Alamos Rsvr to headwaters)	20.6.4.127 NMAC	Fully supporting	None
Los Alamos Canyon (NM-4 to DP Canyon)	20.6.4.128 NMAC	Adjusted gross alpha, PCBs in water column, total recoverable aluminum, total recoverable cyanide, radium, total mercury	None
Los Alamos Canyon (San Ildefonso bnd to NM-4)	20.6.4.98 NMAC	Not assessed	None
Los Alamos Canyon (Upper LANL bnd to Los Alamos River)	20.6.4.98 NMAC	Not assessed	None
Pojoaque River (San Ildefonso bnd to Pojoaque bnd)	20.6.4.114 NMAC	PCBs in water column	None
Pueblo Canyon (Acid Canyon to headwaters)	20.6.4.98 NMAC	PCBs in water column, total recoverable aluminum, adjusted gross alpha, dissolved copper	None

Pueblo Canyon (Los Alamos Canyon to Los Alamos WWTP)	20.6.4.98 NMAC	Adjusted gross alpha, PCBs in water column, total recoverable aluminum, total recoverable selenium	None
Pueblo Canyon (Los Alamos WWTP to Acid Canyon)	20.6.4.98 NMAC	PCBs in water column, adjusted gross alpha	None
Rendija Canyon (Guaje Canyon to headwaters)	20.6.4.98 NMAC	Not assessed	None
Rio Grande (Ohkay Owingeh bnd to Embudo Creek)	20.6.4.114 NMAC	PCB in fish tissue, turbidity	None
Rio Grande (Santa Clara Pueblo bnd to Ohkay Owingeh bnd)	20.6.4.114 NMAC	Turbidity, PCBs in fish tissue	None
South Fork Acid Canyon (Acid Canyon to headwaters)	20.6.4.98 NMAC	Adjusted gross alpha, PCBs in water column, dissolved copper	None
Walnut Canyon (Pueblo Canyon to headwaters)	20.6.4.98 NMAC	PCBs in water column, dissolved copper	None
Alamo Canyon (Rio Grande to headwaters)	20.6.4.121 NMAC	Not assessed	None
Ancho Canyon (North Fork to headwaters)	20.6.4.128 NMAC	PCBs in water column	None
Ancho Canyon (Rio Grande to North Fork Ancho)	20.6.4.128 NMAC	PCBs in water column, total mercury	None
Arroyo de la Delfe (Pajarito Canyon to headwaters)	20.6.4.128 NMAC	Adjusted gross alpha, total recoverable aluminum, dissolved copper, PCBs in water column	None
Canada del Buey (San Ildefonso Pueblo bnd to LANL bnd)	20.6.4.98 NMAC	Not assessed	None
Canada del Buey (within LANL)	20.6.4.128 NMAC	PCBs in water column, adjusted gross alpha	None
Canon de Valle (LANL gage E256 to Burning Ground Spg)	20.6.4.126 NMAC	PCBs in water column	None

Canon de Valle (below LANL gage E256)	20.6.4.128 NMAC	Adjusted gross alpha	None
Canon de Valle (Upper LANL bnd to headwaters)	20.6.4.98 NMAC	PCBs in water column, adjusted gross alpha	None
Canon de Valle (within LANL above Burning Ground Spr)	20.6.4.128 NMAC	Not assessed	None
Chaquehui Canyon (within LANL)	20.6.4.128 NMAC	PCBs in water column	None
Fence Canyon (above Potrillo Canyon)	20.6.4.128 NMAC	Not assessed	None
Indio Canyon (above Water Canyon)	20.6.4.128 NMAC	Not assessed	None
Mortendad Canyon (within LANL)	20.6.4.128 NMAC	Adjusted gross alpha, total mercury, PCBs in water column, dissolved copper	None
North Fork Ancho Canyon (Ancho Canyon to headwaters)	20.6.4.128 NMAC	Adjusted gross alpha, PCBs in water column	None
Pajarito Canyon (Arroyo de la Delfe to Starmers Spring)	20.6.4.126 NMAC	Fully supporting	None
Pajarito Canyon (Rio Grande to LANL bnd)	20.6.4.98 NMAC	Fully supporting	None
Pajarito Canyon (Upper LANL bnd to headwaters)	20.6.4.99 NMAC	PCBs in water column, total recoverable aluminum, adjusted gross alpha, total recoverable cyanide, total mercury	None
Pajarito Canyon (within LANL above Starmers Gulch)	20.6.4.128 NMAC	Aluminum, adjusted gross alpha	None
Pajarito Canyon (within LANL below Arroyo de la Delfe)	20.6.4.128 NMAC	Aluminum, PCBs in water column	None
Potrillo Canyon (above Water Canyon)	20.6.4.128 NMAC	Adjusted gross alpha	None

Rio Grande (Cochiti Reservoir to San Ildefonso bnd)	20.6.4.114 NMAC	Turbidity, PCBs in fish tissue, PCBs in water column, E. coli, adjusted gross alpha, dissolved aluminum, thallium, total recoverable selenium, total recoverable cyanide	None
Rito de los Frijoles (Rio Grande to Upper Crossing)	20.6.4.121 NMAC	DDT in fish tissue, total recoverable Aluminum	None
Rito de los Frijoles (Upper crossing to headwaters)	20.6.4.121 NMAC	DDT in fish tissue, total recoverable Aluminum	None
Sandia Canyon (Sigma Canyon to Outfall 001)	20.6.4.126 NMAC	Total recoverable aluminum, PCBs in water column, dissolved copper, temperature	None
Sandia Canyon (within LANL below Sigma Canyon)	20.6.4.128 NMAC	PCBs in water column, total recoverable aluminum, adjusted gross alpha, total mercury	None
Ten Site Canyon (Mortendad Canyon to headwaters)	20.6.4.128 NMAC	Adjusted gross alpha, PCBs in water column	None
Three Mile Canyon (Pajarito Canyon to headwaters)	20.6.4.128 NMAC	Adjusted gross alpha	None
Two Mile Canyon (Pajarito to headwaters)	20.6.4.128 NMAC	Adjusted gross alpha, PCBs in water column, total recoverable aluminum, dissolved copper	None
Water Canyon (Area A Canyon to NM 501)	20.6.4.126 NMAC	Fully supporting	None
Water Canyon (Rio Grande to lower LANL bnd)	20.6.4.98 NMAC	Not assessed	None
Water Canyon (Upper LANL bnd to headwaters)	20.6.4.98 NMAC	Total recoverable aluminum, total mercury	None
Water Canyon (within LANL below Area A Canyon)	20.6.4.128 NMAC	Total recoverable aluminum, PCBs in water column, adjusted gross alpha, total mercury	None